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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 001308

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STATE FOR EAP/MTS, G/TIP, AND INL

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TAGS: [KTIP](#) [KCRM](#) [PHUM](#) [ELAB](#) [RP](#)  
SUBJECT: PHILIPPINE REACTIONS TO 2009 TRAFFICKING IN  
PERSONS REPORT

REF: STATE 60453 (PHILIPPINES 2009 TIP REPORT: PRESS  
GUIDANCE AND DEMARCHE)

Classified By: Ambassador Kristie A. Kenney,  
reasons 1.4 (b) and (d).

1. (C) SUMMARY: Official Philippine reaction to the country's Tier Two Watch List ranking in the 2009 Trafficking in Persons Report has been one of muted disappointment, largely due to effective Mission pre-briefing with a wide range of anti-trafficking stakeholders in the government, from the Foreign Affairs Secretary to the Deputy Presidential Spokesperson at the Presidential Palace. Speaking to the press on June 18, Executive Secretary Eduardo Ermita said the government would formally clarify its record against trafficking to U.S. officials, but added the U.S. was "well-meaning in trying to make this report." Justice Secretary Agnes Devanadera, who assumed her post June 15, ordered prosecutors to resolve pending trafficking cases within 60 days. The most severe reaction during Post's June 16 demarches came from a Department of Justice undersecretary, who publicly called the Watch List designation a "demoralizing" outcome, though his staff were hopeful they could use the report to justify an increased budget for the government's anti-trafficking council. The report's release, widely covered in print and broadcast media, coincided neatly with the Ambassador's participation in a June 18 turnover ceremony for a U.S. donation of anti-trafficking equipment to the Philippine National Bureau of Investigation. As one of several recent events highlighting U.S. support for the Philippines' fight against trafficking, the ceremony allowed the Ambassador to focus on the precise area for improvement -- convictions of traffickers -- in a positive way that illustrated U.S.-Philippine partnership. A conference to be hosted next week by DHS/ICE Manila on forced child labor and trafficking will provide another opportunity for the Ambassador to show U.S. support for Philippine efforts against these crimes. Though disappointed with the Watch List ranking, Philippine officials are now thinking ahead, searching for ways to increase the number of trafficking convictions. END SUMMARY.

MUTED DISAPPOINTMENT  
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2. (C) Official Philippine reaction to the country's Tier Two Watch List ranking in the 2009 Trafficking in Persons Report has been one of muted disappointment. Executive Secretary Eduardo Ermita said June 18 that the government would seek to formally clarify to U.S. officials the Philippine government's progress against human trafficking, but he added that the Philippines "will not protest," because the U.S. was "well-meaning in trying to make this report." The lack of convictions, he noted, was due to the slow movement of cases through the courts, not government inaction against the nation's trafficking problem. To preempt negative reactions to the report's release, Mission officials on June 16

pre-briefed a broad range of anti-trafficking stakeholders in the government. The Ambassador brought the report to the attention of Foreign Secretary Romulo, who, though disappointed, acknowledged the challenges that make it difficult to obtain prosecutions. Department of Justice Undersecretary Ricardo Blancaflor, Chair of the Inter-Agency Council Against Trafficking, expressed to the DCM his utmost disappointment with the downgraded ranking, noting that the Philippines made great strides in 2008 against trafficking, including an increase in cases filed and a case against a foreign national. Convictions, he noted, were the responsibility of the country's independent courts, which follow their own timetable for hearing cases and issuing decisions, resisting the influences of the Executive Branch of government and the Department of Justice.

#### PRIVATE REACTIONS OF SENIOR OFFICIALS

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13. (C) Over breakfast June 19 at the Chief of Mission residence, Malacanang Palace Executive Secretary Eduardo Ermita expressed the Arroyo Administration's disappointment over the ranking. He asked the Ambassador's advice as to how best to address the problem and, at the least, restore the Philippines to Tier Two status. The Ambassador responded that the Philippines' lack of successful convictions contributed to the perception that progress had been inadequate, and noted that in Secretary Clinton's remarks during the Report's unveiling, she highlighted that the Report was not a list of failures, but instead a roadmap showing where further progress was required. The Ambassador also alluded to an event the previous day (see para. 6), in

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which a U.S. donation of law enforcement equipment to combat trafficking highlighted U.S. resolve to assist the Philippines in every way possible. Ermita underscored his government's intention to strengthen its efforts at countering every form of trafficking.

14. (C) Separately, in a June 18 meeting, Acting Secretary of Justice Agnes Devanadera told senior Embassy officers that the Department of Justice took the TIP report seriously -- as she held a highlighted copy of the report in her hand -- and readily acknowledged that the Arroyo Administration had much work to do. She described trafficking in persons as a problem that could only be solved by engaging agencies throughout the entire Philippine justice system, including investigators at the Philippine National Police, prosecutors at the Department of Justice, and judges who control the pace of prosecutions. She indicated that she had begun a full-court press, impressing upon senior Philippine officials in various agencies the importance of attacking the problem transparently, and of living up to the country's obligations under international trafficking treaties. With this intense focus, she expressed hope that the number of convictions would rise significantly in the next year.

#### SPOKESPERSONS APPRECIATE THE PREVIEW

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15. (C) Post notified the Department of Foreign Affairs and Deputy Presidential spokespersons on June 16 to advise them of the report's imminent release, alerting them that the U.S. saw this report as an opportunity for all parties to bring attention to a terrible global problem that affects the Philippines and the U.S. Post's press officer conveyed that the U.S. would remain committed to continuing to work with our Philippine partners to combat human trafficking. The spokespersons were thankful for the preview, and the Deputy Presidential Spokesperson said the government would convene an internal meeting to coordinate its public response.

#### U.S. DONATION BOLSTERS PHILIPPINE EFFORTS

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¶6. (C) The Ambassador and National Bureau of Investigation (NBI) Director Nestor Mantaring presided over a June 18 turnover ceremony marking the U.S. donation of crime-fighting equipment to the NBI's Anti-Human Trafficking Division. With USD 35,000 from a 2007 State Department INL grant, Post procured a passenger van, ten computers, two surveillance cameras, and bullet proof vests for use by NBI officers in their anti-trafficking surveillance and rescue operations. The Ambassador in her remarks called attention to the global nature of trafficking, the need for convictions, and the importance of cooperation among all stakeholders to stop human traffickers, whose methods of deception continue to improve. With ten journalists present at the event, the Ambassador highlighted the important role media play in trafficking prevention by raising public awareness. Granting a plaque of appreciation to the Ambassador, Mantaring thanked the U.S. government for its support and pledged that the NBI would continue to pursue human traffickers. As one of several recent U.S.-supported events that have highlighted the U.S. role in helping the Philippines fight trafficking, including a high-profile USAID-MTV concert last month in Manila, the ceremony allowed the Ambassador to focus on the precise area for improvement -- convictions of traffickers -- in a positive way that illustrated U.S.-Philippine partnership.

#### MOBILIZING FOR IMPROVEMENT

¶7. (C) The government is already examining ways to position cases so that they can achieve more convictions. Cabinet Secretary Silvestre Bellow convened a June 18 meeting at the Presidential Palace with law enforcement officials and prosecutors to examine ways to improve the outcome of trafficking prosecutions. An announcement by Justice Secretary Devanadera on June 15 -- the day before the TIP report's release -- ordered prosecutors to resolve outstanding human rights cases within 60 days. This "fast track" channel for cases that involve the killing of journalists, human trafficking, and narcotics will help propel these cases through clogged judicial dockets.

KENNEY